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March 31, 2003 **RECEIVED**

MAR 31 2003

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: *Litchfield County Cellular, Inc. d/b/a Ramcell of Oregon*
Addendum to the Petition for Limited Waiver
and Extension of Time
ATTN: *Wireless Telecommunications Bureau, Policy Division*

Dear Ms. Dortch

Litchfield County Cellular, Inc. d/b/a Ramcell of Oregon ("Ramcell"), by its attorneys, hereby submits this letter supplementing its underlying November 22, 2002, Petition for limited waiver and extension of time to support the nationwide roaming of ported and pooled numbers by November 24, 2002.¹ By this addendum, Ramcell is requesting an additional five months, until August 31, 2003, to meet its obligations regarding the requirement that all covered CMRS providers must be able to support nationwide roaming of ported and pooled numbers?

By any measure Ramcell is a small wireless carrier. For example, for purposes of Phase II E911 compliance Ramcell is classified by the Commission as a Tier III carrier.² As Ramcell stated in its request for an extension of the nationwide roaming deadline, its rural RSA has fewer people than are found in a single city in most MSAs, and many RSAs.³ Not surprisingly, its financial resources are commensurate with its small size.⁴

¹ *Litchfield County Cellular, Inc. d/b/a Ramcell of Oregon, Petition for Limited Waiver and Extension of Time*, CC Docket 99-200 (November 22, 2002) ("Petition").

² See 47 C.F.R. § 52.31(a)(2).

³ *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems; Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers*, CC Docket No. 94-102, *Order to Stay*, 17 FCC Rcd. 14841 (rel. July 26, 2002).

⁴ *Petition*, at p. 2.

Ramcell explained in its Petition that, based upon its size, it is faced with major obstacles to obtaining the requisite upgrades to become compliant with the Commission's roaming deadline.⁶

In its Petition, Ramcell estimated that it needed until March 31, 2003 in order to obtain funding, purchase the necessary hardware and software upgrades, and implement the requisite upgrades so that it could meet what it believes to be its roaming obligations for pooled and ported numbers. Ramcell based this original timeline on the assumption that it would obtain the funding for its requisite system upgrades through its own internal resources. Ramcell's plans to self fund the acquisition of the requisite switch upgrades were shattered by the recent economic downturn in the telecommunications sector. As economic conditions have worsened, Ramcell has simultaneously experienced a drop in its subscriber's usage patterns as well as higher than anticipated churn. As a result of its limited financial resources and this changed economic landscape, Ramcell found itself unable to self fund the requisite acquisitions.

Ramcell's vendors have informed Ramcell that the upgrades necessary to make Ramcell LNP roaming compliant and CALEA compliant will cost **\$1.4 million** dollars. To put this into perspective, ***this one time expenditure represents 50% of Ramcell's annual expenditures***. Ramcell can assure the Commission that but for the FCC's LNP and CALEA mandates, Ramcell would not have to purchase these upgrades. The fact that both of these mandates are unfunded places a crushing financial burden on a small carrier such as Ramcell.

Once it became clear to Ramcell that it could not self fund this extraordinary expenditure, Ramcell began seeking financial funding from outside sources to fund the system upgrades. Based on Ramcell's discussions with various lending institutions, Ramcell is confident that the necessary funding will be in place by the end of the second quarter. Additionally, Ramcell has worked closely with its vendor who has informed Ramcell that it will be able to deliver and install the necessary hardware and software upgrades in a timely manner so that Ramcell's system will be capable of supporting roaming by customers with pooled or ported numbers by August 31, 2003.

In light of this revised deployment schedule, **an** additional limited extension of the Commission's rules regarding the requirement to support the roaming of callers with ported or pooled numbers is necessary in order to provide Ramcell with the time it needs to secure the funds required to purchase the requisite hardware and software. Ramcell regrets that it must request this extension of time. To keep the FCC apprised of Ramcell's progress, on June 13, 2003 Ramcell will provide the Commission with an

⁵ This point was recently recognized by the Commission when it granted a similar petition by Litchfield County Cellular for its operations in the Kentucky 11 RSA. *See Petitions for Temporary Waiver and Extension of Time by Cellular Phone Kentucky, Inc. and Litchfield County Cellular, Inc.*, CC Docket No. 99-200, *Letter*, at 2, DA-03-165, (rel. Jan. 17, 2003).
⁶ *Petition*, at p. 2.

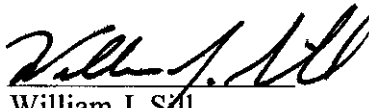
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Ramcell's progress, on June 13, 2003 Ramcell will provide the Commission with an update on the progress of its funding efforts, as well as its acquisition of the needed software and hardware upgrades.

In the interim if you have any questions concerning this matter, please contact the undersigned counsel at (202)783-4141.

Sincerely,

Wilkinson Barker Knauer, LLP

By: 
William J. Sill
Georgina L.O. Feigen

cc: Barry Ohlson, Division Chief, Wireless Telecommunications Bureau, Policy Division
Jared Carlson, Deputy Division Chief, Wireless Telecommunications Bureau, Policy Division
Peter Trachtenberg, Wireless Telecommunications Bureau, Policy Division